

REMARKS

Claims 3-9 and 54-62 are pending in this application. Claims 3-9 have been amended, claims 54-62 have been added and claims 1 and 2 have been cancelled. The foregoing amendments are taken in the interest of expediting prosecution and there is no intention of surrendering any range of equivalents to which Applicant would otherwise be entitled in view of the prior art.

Brief Interview with Examiner

Applicants would like to thank Examiner Nguyen for the time extended to Applicant's Representative James McPherson during a brief telephone conversation on December 18, 2006. During that conversation, an Examiner's Interview was established for January 9th, 2006 to discuss the claims of the present Response, as filed herewith.

Rejection under 35 U.S.C. §102 and §103

Claims 1 and 6-9 stand rejected under 35 U.S.C. §102 as being anticipated by either U.S. Patent No. 5,874,037, to Saia et al. and/or U.S. Patent No. 6,770,227, to Akita et al. Claims 2-5 stand rejected under 35 U.S.C. §103 as being obvious based upon Akita et al. and in view of U.S. Patent No. 5,928,588, to Chen et al. Applicants respectfully disagree.

Notwithstanding, Applicants have amended claim 4 to include features that are unique to the present invention including gas-permeable material having a porosity between about 5 to 25% and an average pore diameter between about 1 to 280 microns. Even if the prior art is considered to be porous, it does not achieve the same benefits of the present invention, namely the ability to vent gases formed in a mold while maintaining specific pressure and temperature ranges being applied to the material within the mold. This is important as it ensures consistent physical properties of the resulting molded structure.

Applicants believe that the rejections to claims have been traversed and/or rendered moot and that amended claim 4 is now in condition for allowance. Also, claims 3, 5-9, 54 and 55, which depend upon claim 4, are also believed to be allowable.

New Claims

Applicants have also added claims 54-62, to recite additional features of the present invention.

By amending the application, the Applicants do not concede that the patent coverage available to them would not extend as far as the original claim. Rather, Applicants reserve the right to file a continuation application to pursue the breadth of the claims as filed. Applicants believe that the Examiner has not made a sufficient showing of inherency of the teachings of the asserted prior art, especially given the lack of teachings in the cited references of the properties that Applicants have recited in their claims.

Further, by the present amendment, it does not follow that the amended claims have become so perfect in their description that no one could devise an equivalent. After amendment, as before, limitations in the ability to describe the present invention in language in the patent claims naturally prevent the Applicants from capturing every nuance of the invention or describing with complete precision the range of its novelty or every possible equivalent. See, Festo Corp. v. Shoketsu Kinzoku Kogyo Kabushiki Co., 62 USPQ2d 1705 (2002). Accordingly, the foregoing amendments are made specifically in the interest of expediting prosecution and there is no intention of surrendering any range of equivalents to which Applicants would otherwise be entitled.

CONCLUSIONS

In view of Applicants' amendments and remarks, the Examiner's rejections are believed to be rendered moot. Accordingly, Applicants submit that the present application is in condition for allowance and requests that the Examiner pass the case to issue at the earliest convenience. Should the Examiner have any question or wish to further discuss this application, Applicant requests that the Examiner contact the undersigned at (248) 292-2920.

If for some reason Applicants have not requested a sufficient extension and/or have not paid a sufficient fee for this response and/or for the extension necessary to prevent the abandonment of this application, please consider this as a request for an

extension for the required time period and/or authorization to charge Deposit Account No. 50-1097 for any fee which may be due.

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